

**OFFICIAL FILE**  
**ILLINOIS COMMERCE COMMISSION**

**ORIGINAL**

(File this application via e-docket, or if unable to do so, file one original verified application with the Chief Clerk.)

Docket No. \_\_\_\_\_  
ICC Office Use Only

Please provide the appropriate information in the ( ) areas in the heading below.

**LightWave Communications, LLC**

Application for a certificate of  
local authority to operate as a  
facilities-based carrier of telecommunications  
services in Chicago  
in the State of Illinois.

00-0748

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**APPLICATION FOR CERTIFICATE TO BECOME A  
TELECOMMUNICATIONS CARRIER**  
(Use additional sheets as necessary.)

**GENERAL**

1. Applicant's Name(including d/b/a, if any)

FEIN # 52-2230327

LightWave Communications, L.L.C.

Address: Street

14504 Greenview Drive, Suite 302

City Laurel

State/Zip MD 20708

2. Authority Requested: (Mark all that apply) ☒ 13-403 Facilities Based Interexchange

☒ 13-404 Resale of Local and/or Interexchange

☒ 13-405 Facilities Based Local

3. Request for waivers/variances: In applications for local exchange service authority under Sections 13-404 or 13-405, waivers of Part 710 and of Section 735.180 of Part 735 are generally requested. In applications for interexchange service authority under Sections 13-403 and 13-404, waivers of Part 710 and Part 735 are generally requested. Please indicate which waivers Applicant is requesting and explain why Applicant is requesting each waiver/variance.

☒ Part 710 Uniform System of Accounts for Telecommunications Carriers

☒ Part 735 Procedures Governing the Establishment of Credit, Billing, Deposits, Termination of Service and Issuance of Telephone Directories for Local Exchange Telecommunications Carriers in the State of Illinois

X   Section 735.180 Directories

       Other

4. For all applicants requesting local exchange authority under Section 13-404 or Section 13-405, please complete the following:
- (a) the Standard Questions for Applicants Seeking Local Exchange Service Authority found in Appendix A of this document
  - (b) the 9-1-1 Questions for Applicants Seeking Local Exchange Service Authority found in Appendix B of this document;
  - (c) the Financial Questions for Applicants Seeking Local Exchange Service Authority found in Appendix C of this document; and
  - (d) if applicable, the Prepaid Service Questions for Applicants Seeking Local Exchange Service Authority found in Appendix D of this document.
5. In what area of the state does the Applicant propose to provide service?

**Applicant initially proposes to provide service in the Chicago metropolitan area.**

6. Please attach a sheet designating contact persons to work with Staff on the following:

- a) issues related to processing this application

**Jack E. Rudolph**  
**Vice President – Business Development**  
**Suite 302**  
**14504 Greenview Drive**  
**Laurel, MD 20708**  
**Tel:(301)953-9300**  
**Toll free: 888-953-9300**  
**Fax: (301) 953-2454**  
**Email: jrudolph@lightwavecomm.net**

- b) consumer issues

**JoAnn Perry**  
**Director – Customer Services**  
**Suite 302**  
**14504 Greenview Drive**  
**Laurel, MD 20708**  
**Tel:(301) 953-9300**  
**Toll free: 888-953-9300**  
**Fax: (301) 953-2454**  
**Email: jperry@lightwavecomm.net**

- c) customer complaint resolution

**JoAnn Perry**  
**Director – Customer Services**  
**Suite 302**  
**14504 Greenview Drive**  
**Laurel, MD 20708**  
**Tel: (301) 953-9300**

**Toll free: 888-953-9300**  
**Fax: (301) 953-2454**  
**E-mail: jperry@lightwavecomm.net**

- d) technical and service quality issues

**JoAnn Perry**  
**Director – Customer Services**  
**Suite 302**  
**14504 Greenview Drive**  
**Laurel, MD 20708**  
**Tel: (301) 953-9300**  
**Toll free: 888-953-9300**  
**Fax: (301) 953-2454**  
**E-mail: jperry@lightwavecomm.net**

- e) “tariff” and pricing issues

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- f) 9-1-1 issues

**Not Applicable. The Applicant will not offer voice services.**

- g) security/law enforcement

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Please identify each contact person's (i) name, (ii) title, (iii) mailing address, (iv) telephone number, (v) facsimile number, and (vi) e-mail address.

7. Please check type of organization?

☐ Individual ☐ Corporation  
☐ Partnership Date corporation was formed May 18, 1999  
In what state? Delaware  
☒ Other (Specify) Limited Liability Company

8. Submit a copy of articles of incorporation and a copy of certificate of authority to transact business in Illinois. **See Exhibits A and B.**
9. List jurisdictions in which Applicant is offering service(s).

Applicant currently is authorized to provide service in New York and Massachusetts,  
and currently provides interexchange service on an interstate basis.

10. Has the Applicant, or any principal in Applicant, been denied a Certificate of Service or had its certification revoked or suspended in any jurisdiction in this or another name?

\_\_\_\_\_ YES (Please provide details)     X \_\_\_\_\_ NO

11. Have there been any complaints or judgements levied against the Applicant in any other jurisdiction?

\_\_\_\_\_ YES     X \_\_\_\_\_ NO

If YES, describe fully. \_\_\_\_\_  
\_\_\_\_\_

12. Has Applicant provided service under any other name?

\_\_\_\_\_ YES     X \_\_\_\_\_ NO

If YES, please list. \_\_\_\_\_  
\_\_\_\_\_

13. Will the Applicant keep its books and records in Illinois? \_\_\_\_\_ YES     X \_\_\_\_\_ NO  
If NO, permission pursuant to 83 Ill. Adm Code Part 250 needs to be requested.

Pursuant to ILL. ADMIN. CODE TIT. 83, § 250.20, the Applicant requests a waiver from the Commission of the requirements contained in to ILL. ADMIN. CODE TIT. 83, § 250.10, and requests the authority to maintain its books, accounts, papers, records, memoranda etc. at its company headquarters in Laurel, Maryland, where all of the personnel responsible for the maintenance of such documentation are located. Establishing and maintaining a location in the State of Illinois solely to keep its books and accounts in Illinois would create a significant additional cost to the Company's operations and would be unduly burdensome. LightWave will be represented by a statutory agent located within the State of Illinois and will provide the Board with access to its books and records upon request.

#### **MANAGERIAL**

14. Please attach evidence of the applicant's managerial and technical resources and ability to provide service. This may be in either narrative form, resumes of key personnel, or a combination of these forms. **See Exhibit C.**
15. List officers of Applicant.

Mark J. Ricigliano     President & Chief Executive Officer

Edward M. Quattrone

Executive Vice President

Jeffrey Ring

Secretary/Treasurer

16. Does any officer of Applicant have an ownership or other interest in any other entity which has provided or is currently providing telecommunications services? ☐ YES ☒ NO

If YES, list entity. \_\_\_\_\_

17. How will Applicant bill for its service(s)? (At a minimum, describe how often the Applicant will bill for service and details of the billing statement.)

**The Applicant will render its own bills and send them directly to its customers on a monthly basis. Monthly billing statements will consist of service usage volumes, circuit end points, contact information for billing and service questions, and dollar amounts to be remitted to LightWave Communications.**

18. How does Applicant propose to handle service, billing, and repair complaints? (At a minimum, describe Applicant's internal process for complaint resolution, the complaint escalation process, the timeframe and process by which the customer is notified by Applicant that they may seek assistance from the Commission?)

**LightWave's customer service representatives are available to assist its customers with service, maintenance and billing issues. Specifically, LightWave's customer service representatives are prepared to respond to a broad range of service matters, including inquiries regarding: (1) the types of services offered by LightWave and the rates associated with such services; (2) monthly billing statements; (3) problems or concerns pertaining to a customer's current service; and (4) general telecommunications matters. For service and maintenance issues, customers may contact LightWave's Customer Services twenty-four (24) hours a day, seven (7) days a week, by calling toll-free 1-888-953-9300. For billing issues, customers may contact LightWave's Customer Services department between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, by calling toll-free at 1-888-953-9300. Alternatively, customers may communicate billing questions or concerns to LightWave customer services representatives in writing. LightWave will respond to any complaints within 24 hours and attempt to resolve any complaint within 48 hours. Escalation procedures for service related matters and complaints are included with every bill for services which includes notification that the customer may seek commission assistance.**

19. Will personnel be available at Applicant's business office during regular working hours to respond to inquiries about service or billing? ☒ YES ☐ NO

20. What telephone number(s) would a customer use to contact your company?

**(888) 953-9300**

21. Will Applicant abide by all Federal and State slamming and cramming laws pursuant to Section 13-902 of the Public Utilities Act and Section 258 of the 1996 Telecommunications Act?

☒ YES, if LightWave begins to offer service to end-users ☐ NO

22. Please describe applicant's procedures to prevent slamming and cramming of customers?  
**Not Applicable. LightWave will not be offering voice services to end-users at this time; but if LightWave does offer voice services to end-users in the future, it will**

**comply with Section 13-902 of the Public Utilities Act and Section 258 of the 1996 Telecommunications Act.**

23. If granted authority to operate as a local exchange carrier, will the applicant abide by the following 83 Illinois Administrative Code Parts: 705, 710, 720, 725, 730, 735, 755, 756, 757, 770, and 772?

☐ YES ☒ NO (If no, please provide an explanation.)

**Applicant will abide by all rules and regulations relevant to its operations. Because Applicant does not intend to provide voice or dial tone service, many of the Code Parts cited above do not apply to Applicant, for example, those Parts relevant to 911 service. However, Applicant will abide by the Code Parts applicable to all service providers. In addition, if Applicant provides voice or dial tone service in the future, it will abide by all of the Code Parts listed above.**

24. Is Applicant aware that it must file tariffs prior to providing service in Illinois?

☒ YES ☐ NO

**FINANCIAL**

25. Please attach evidence of Applicant's financial fitness through the submission of its most current income statement and balance sheet, or other appropriate documentation of applicant's financial resources and ability to provide service.

**Please see *Exhibit D*. Due to the confidential and proprietary nature of Applicant's financial information, *Exhibit D* has been filed under seal.**

**TECHNICAL**

26. Does Applicant utilize its own equipment and/or facilities? ☒ YES ☐ NO

If YES, please list the facilities Applicant intends to utilize. Also include evidence that Applicant possesses the necessary technical resources to deploy and maintain said facilities:

**LightWave's network has two essential components: "dark" fiber (Lucent TrueWave™ fiber optic cable) which was acquired under a long term lease from Metromedia Fiber Network ("MFN"), and its own electronic equipment required to activate the fiber for transmission. Specifically, LightWave will install Cisco 15454 optical SONET equipment at its points-of-presence ("POPs").**

If NO, which facility provider(s)'s services does the Applicant intend to use?

See Above

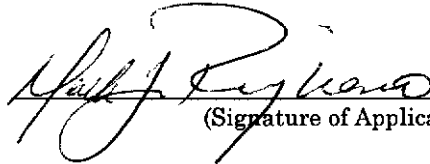
27. Please describe the nature of service to be provided (e.g., operator services, internet, debit cards, long distance service, data services, local service, prepaid local service).

LightWave is a carrier's carrier that provides data-centric broadband communications service via its fiber optic network. Using this network, LightWave will provide broadband services to other communications carriers, such as other competitive local exchange carriers ("CLECs") and competitive access providers ("CAPs"), internet service providers ("ISPs"), interexchange carriers ("IXCs"), and incumbent local exchange carriers ("ILECs"), in major metropolitan areas nationwide. At this time, LightWave does not intend to provide dial tone or voice service to end users.

28. Will technical personnel be available at all times to assist customers with service problems?

  X   YES        NO

29. If Applicant intends to provide payphone service, will the equipment utilized comply with FCC requirements and Finding (9) of the Commission Order entered in Docket No. 84-0442 on June 11, 1986, including, but not limited to: (a) touch dialing; (b) access to 9-1-1 and "0" operator dialing without use of a coin; (c) rules governing use of payphones by disabled persons; (d) ability to complete local and long-distance calls; (e) unlimited duration for local calls; and (f) a message explaining the telephone's general operations, dialing instructions for emergency assistance, payphone owner's name, method of reporting service problems and method of receiving credit for faulty calls? N/A YES NO

  
(Signature of Applicant)



VERIFICATION

This application shall be verified under oath.

OATH

State of MARYLAND )  
County of BALTIMORE )ss

Mark J. Ricigliano makes oath and says that he is the  
President and Chief Executive Officer of LightWave Communications, LLC;

that he has examined the foregoing application and that to the best of his knowledge, information,  
and belief, all statements of fact contained in the said application are true, and the said application is  
a correct statement of the business and affairs of the above-named applicant in respect to each and  
every matter set forth therein.

Mark J. Ricigliano  
(Signature of affiant)

Subscribed and sworn to before me, a Notary Public/ \_\_\_\_\_  
(Title of person authorized to administer oaths)

in the State and County above named, this 30<sup>th</sup> day of October, 2000.

Maurice J. LeBrun, Jr.  
(Signature of person authorized to administer oath)

My Commission Expires 08/01/03

